

Assembly Bill No. 2535

CHAPTER 361

An act to add Section 230.4 to the Labor Code, relating to volunteer firefighters.

[Approved by Governor September 7, 2000. Filed
with Secretary of State September 8, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2535, Oller. Volunteer firefighters.

Existing law provides that no employer shall discharge or in any manner discriminate against an employee for taking time off to perform emergency duty as a volunteer firefighter.

This bill, in addition, would provide that an employee who is a volunteer firefighter and who works for an employer employing 50 or more employees shall be permitted to take leaves of absence, not to exceed an aggregate of 14 days per calendar year, for the purpose of engaging in fire or law enforcement training.

The bill would also provide that an employee subject to the bill who is discharged, threatened with discharge, demoted, suspended, or otherwise discriminated against by the employer for taking time off as authorized by the bill is entitled to reinstatement and reimbursement for lost wages and work benefits pursuant to specified remedies under existing law.

The people of the State of California do enact as follows:

SECTION 1. Section 230.4 is added to the Labor Code, to read:

230.4. (a) An employee who is a volunteer firefighter, and works for an employer employing 50 or more employees, shall be permitted to take temporary leaves of absence, not to exceed an aggregate of 14 days per calendar year, for the purpose of engaging in fire or law enforcement training.

(b) An employee who works for an employer employing 50 or more employees who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in the terms and conditions of employment by his or her employer because the employee has taken time off to engage in fire or law enforcement training as provided in subdivision (a), is entitled to reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer.

(c) An employee seeking reinstatement and reimbursement pursuant to this section may file a complaint with the Division of Labor Standards Enforcement in accordance with Section 98.7, and

upon receipt of such a complaint, the Labor Commissioner shall proceed as provided in that section.

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